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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of PACIFICORP
(U 901 E), an Oregon Company, for an Order
Authorizing a Rate Increase Effective January 1,
2011, and Granting Conditional Authorization to
Transfer Assets, pursuant to the Klamath
Hydroelectric Settlement Agreement

Application 10-03-015
(Filed March 18, 2010)

**RESPONSE OF AMERICAN RIVERS, CALIFORNIA TROUT, TROUT UNLIMITED,
KARUK TRIBE, AND YUOK TRIBE IN SUPPORT OF PACIFICORP'S PETITION
TO MODIFY DECISION 11-05-002 AND REQUEST FOR EXPEDITED
CONSIDERATION**

Dated: September 12, 2016

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DECISION 11-05-002 AND REQUEST FOR EXPEDITED CONSIDERATION**

Pursuant to Rule 16.4 of the Commission's Rules of Practice and Procedure, American Rivers, California Trout, and Trout Unlimited ("Conservation Groups"), and Karuk Tribe and Yurok Tribe ("Tribes), hereby respond in support of "Petition of PacificCorp to Modify Decision 11-05-002 and Request for Expedited Consideration" (dated August 12, 2016) ("Petition").

By motion dated May 12, 2010, Conservation Groups intervened in this proceeding. Tribes intervened separately. Our respective interests are stated in those motions. Conservation Groups and Tribes are parties to the Klamath Hydroelectric Settlement Agreement (2010) ("KHSA") and the Amended KHSA (2016). The Petition describes the reasons why the 2010 agreement was amended.

In D.11-05-002, the Commission authorized rate recovery to implement dam removal under the terms of the KHSA. PacificCorp now proposes to modify Ordering Paragraphs 13 and 15 in D.11-05-002, and add Paragraphs 19 and 20, to reflect how the Amended KHSA changes two terms in the prior agreement. In sum, the Amended KHSA will be implemented under the existing authority of the Federal Power Act, while the prior agreement would have been implemented under new Congressional authority. Second, the Amended KHSA names the

Klamath River Renewal Corporation as the dam removal entity, while the prior agreement did not specify an entity for those responsibilities.

In D.11-05-002, the Commission made findings and conclusions that dam removal under the terms of the KHSA is in the public interest. It authorized rate recovery to implement such dam removal. The Amended KHSA does not change the basis for those findings and conclusions, other than relying on existing federal authority for implementation and specifying an existing corporation as the dam removal entity. Accordingly, Conservation Groups and Tribes request that the Commission (1) provide expedited consideration of the Petition and (2) modify D.11-05-002 consistent with the Petition.

Dated: September 12, 2016

Respectfully submitted,



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